

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:97CR-23**

UNITED STATES OF AMERICA,

vs.

AQUILIA MARCIVICCI BARNETTE,

Defendant.

ORDER

THIS MATTER is before the Court upon remand from the Fourth Circuit Court of Appeals for further consideration in light of *Miller-El v. Dretke*, 545 U.S. 231, 125 S.Ct. 2317 (2005). Pursuant to 18 U.S.C. § 3005, Defendant Barnette is entitled to two counsel. Attorney Harold Bender shall continue as counsel, and the Court shall direct the Federal Defenders of Western North Carolina to appoint co-counsel.

It is hereby ORDERED THAT the Federal Defenders of Western North Carolina shall appoint co-counsel, in accordance with the Criminal Justice Act, 18 U.S.C. § 3006A, to represent Defendant Aquilia Marcivicci Barnette.

Signed: November 30, 2007



Richard L. Voorhees
United States District Judge

